

By: Raymond

H.B. No. 891

A BILL TO BE ENTITLED

AN ACT

relating to creating an offense for certain unauthorized transactions involving oil, gas, or condensate.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter K, Chapter 85, Natural Resources Code, is amended by adding Section 85.390 to read as follows:

Sec. 85.390. TRANSACTION WITHOUT PERMIT, APPROVAL, OR AUTHORIZATION. (a) A person commits an offense if:

(1) the person recklessly possesses, removes, delivers, accepts, purchases, sells, or physically moves or transports oil, gas, or condensate as part of a transaction for which the commission requires a permit or commission approval or authorization; and

(2) the commission has not issued, and does not have a pending request for, a permit, approval, or authorization for that transaction.

(b) It is an exception to the application of this section that the actor is a pipeline operator or gatherer authorized to operate by the commission.

(c) An offense under this section is a felony of the second degree.

SECTION 2. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is

1 governed by the law in effect on the date the offense was committed,  
2 and the former law is continued in effect for that purpose. For  
3 purposes of this section, an offense was committed before the  
4 effective date of this Act if any element of the offense occurred  
5 before that date.

6 SECTION 3. This Act takes effect September 1, 2017.